**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928**

**WP(C).No. 5716 of 2007(E)**

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**PETITIONER:**
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**SHANDINI, W/O.JANARDANAN,**
**KEEZHATTOOR P.O., PATHIRIYAD, THALASSERY.**

**BY ADV. SRI.I.DINESH MENON**

**RESPONDENT:**
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**THE SECRETARY,**
**REGIONAL TRANSPORT AUTHORITY,**
**VADAKARA.**

**BY GOVERNMENT PLEADER SMT.N.SUDHADEVI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO.5716/2007**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE PROCEEDINGS DT.24.9.04.**

**EXT.P2:- COPY OF THE REQUEST SUBMITTED BY THE PETITIONER DT.18.12.06.**

**/TRUE COPY/**

**tss**

K.BALAKRISHNAN NAIR, J.

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W.P.(C).No.5716 of 2007-E

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Dated this the 16th day of March, 2007

**JUDGMENT**

The petitioner is operating a stage carriage on the route Thalassery-Maniyoor in accordance with the time schedule contained in Ext.P1. She submitted Ext.P2 application for modifying its time schedule to avoid clash of timings on the other service. This writ petition is filed seeking a direction to the respondent to consider and pass orders on Ext.P2.

2. The learned Government Pleader, upon instruction submitted that the said application was rejected by the respondent for the reason that it was unstamped.

3. Rejection of an application for not affixing necessary stamp cannot be taken as a dismissal of application. The petitioner shall be given an opportunity to cure the defect, within one week from the date of production of a copy of this judgment. Thereafter, the respondent shall consider and pass orders on Ext.P2 on merits, in accordance with law, within two months.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS